

FORM PTO-1390 (rev. 2/05)(Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER

65,361-002

U.S. APPLICATION NO (If known, see 37 CFR 1.5)

**10/548408**

INTERNATIONAL APPLICATION NO.

**PCT/JP2004/002973**

INTERNATIONAL FILING DATE

**8 March 2004 (08.03.2004)**

PRIORITY DATE CLAIMED

**10 March 2003 (10.03.2003)**

TITLE OF INVENTION:

**AGENT FOR DETECTING SENTINEL LYMPH NODE AND DETECTION METHOD**

APPLICATION(S) FOR DO/EO/US:

**Motohiro TAKEDA, Noriaki OHUCHI, Yoshiyuki KAWAZOE and Atsuo KASUYA**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include Items (5), (6), (9) and (21) indicated below.
  4. ☐ The US had been elected (Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
  6. ☒ An English language translation of the International Application into English (35 U.S.C. 371(c)(2)).
    - a. ☒ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☐ Amendment to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A English language translation of the annex to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c) (5)).
  11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
  12. ☒ A copy of the International Search Report (PCT/ISA/210).
- Items 13 to 23 below concern other document(s) or information included:**
13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
  15. ☒ A FIRST preliminary amendment.
  16. ☐ An Application Data Sheet under 37 CFR 1.76.
  17. ☐ A substitute specification.
  18. ☐ A power of attorney and/or change of address letter.
  19. ☐ A computer-readable form of sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
  20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  21. ☐ A second copy of the English Language translation of the international application under 35 U.S.C. 154(d)(4).
  22. ☒ Express Mail Label No. EV695475093US
  23. ☒ Other items or information: Postcard; Express Mail Certificate; Check for filing fee

U.S. APPLICATION NO. (If known see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-left: 100px;">107548408</div>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/002973</b>		ATTORNEY'S DOCKET NUMBER <b>65,361-002</b>	
The following fees are submitted				CALCULATIONS PTO USE ONLY	
21	<input checked="" type="checkbox"/>	Basic national fee.....	\$300.00	\$300.00	
22	<input checked="" type="checkbox"/>	Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$100.00</b> All other situations..... <b>\$200.00</b>	\$200.00		
23	<input checked="" type="checkbox"/>	Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... <b>\$100.00</b> International Search Report prepared and provided to the Office ..... <b>\$400.00</b> All other situations ..... <b>\$500.00</b>	\$500.00		
<b>TOTAL OF 21, 22 AND 23 =</b>				<b>\$1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
21 -100+		/50 =		X \$250	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		9 - 20 =		X \$ 50.00	\$0.00
Independent claims		4 - 3 =	1	X \$200.00	\$200.00
Multiple dependent claims(s) (if applicable)				+ \$360.00	\$0.00
<b>TOTAL OF ABOVE CALCULATION =</b>					<b>\$</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b>					<b>\$</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
<b>TOTAL NATIONAL FEE =</b>					<b>\$</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$0
<b>TOTAL FEES ENCLOSED =</b>					<b>\$1,200.00</b>
					Amount to be: refunded \$
					Charged \$
a. <input checked="" type="checkbox"/> A check in the amount of <b>\$1,200.00</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-2789</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>David M. LaPrairie</b>  <b>HOWARD &amp; HOWARD ATTORNEYS, P.C.</b>  <b>Suite 101</b>  <b>39400 Woodward Avenue</b>  <b>Bloomfield Hills, MI 48304-5151</b>  <b>(248) 645-1483</b>  <b>Customer No. 27305</b></p> </div> <div style="width: 45%; text-align: center;"> <div style="font-size: 1.5em; margin-bottom: 10px;">David M. LaPrairie</div> <div style="border-top: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <p>SIGNATURE</p> <div style="margin-top: 20px;"> <p>David M. LaPrairie</p> <hr style="width: 100%;"/> <p>Name</p> </div> <div style="margin-top: 20px;"> <p>46,295</p> <hr style="width: 100%;"/> <p>REGISTRATION NUMBER</p> </div> </div> <div style="width: 10%; text-align: right;"> <p>September 8, 2005</p> <hr style="width: 100%;"/> <p>Date</p> </div> </div>					

10/548408

JC17 Rec'd PCT/PTO 08 SEP 2005

PATENT COOPERATION TREATY  
UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant :** Motohiro TAKEDA et al.

**Int. App. Serial No.:** PCT/JP2004/002973

**Group Art Unit:** Unknown

**Atty. No. :** 65,361-002

**Examiner:** Unknown

**Filed :** Herewith

**Title :** AGENT FOR DETECTING SENTINEL LYMPH NODE  
AND DETECTION METHOD

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**EXPRESS MAIL CERTIFICATE**

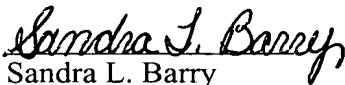
"Express Mail" Label Number: EV 695475093 US

Date of Deposit: September 8, 2005

I hereby certify that a copy of the following attached papers or fees:

- TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING  
A FILING UNDER 35 U.S.C. 371 (2 PAGES)
- INTERNATIONAL APPLICATION PUBLISHED UNDER THE PCT
- COPY OF APPLICATION IN ENGLISH LANGUAGE
- TWO (2) SHEETS OF DRAWINGS
- PRELIMINARY AMENDMENT
- INTERNATIONAL SEARCH REPORT
- CHECK IN THE AMOUNT OF \$1,200.00
- POSTCARD

Are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

  
Sandra L. Barry